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| 10/527,092   | 09/12/2006  | Joseph A. Bekanich   | B6225.0001/P001             | 2762                   |
| 24998  | 7590        | 01/08/2008           |                             |                        |
| DICKSTEIN SHAPIRO LLP<br>1825 EYE STREET NW<br>Washington, DC 20006-5403 |             |                      | EXAMINER<br>TIEU, BINH KIEN |                        |
|  |             |                      | ART UNIT<br>2614            | PAPER NUMBER           |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/527,092

Applicant(s)

BEKANICH ET AL.

Examiner

/BINH K. TIEU/

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-12 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 20 and 29 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 3/9/2005
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1-5, 13-17 and 22-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raith (US. Pat. #: 6,493,547) in view of Jensen (Pub. No.: US 2001/0031045).

***Regarding claim 1***, Raith teaches a wireless communication device, as shown in figure 3, comprising:

a transmitter/receiver capable of transmitting and receiving a plurality of data signals (i.e., RF Transceiver 370);

a microprocessor connected to the transmitter/receiver (i.e., controller 360) and configured to detect a device event (i.e., detecting outgoing call, roaming, call setup, etc. data), and provide monitoring information indicative of the usage of the wireless communication device during the occurrence of the detected device event (paragraph [0026]); and

a display capable of continuously displaying the monitoring information during the device event and after the end of the device event (col.8, lines 59-67).

It should be noticed that Raith fails to clearly teach the feature of detecting a contact (i.e., detecting a caller ID associated with an incoming call or dialed telephone number associated with outgoing call) associated with the device event. However, Jensen teaches such feature in paragraph [0022] for a purpose of recording the call parameters for a call record.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of the feature of detecting a contact associated with the device event, as taught by Jensen, into view of Raith in order to record call parameters of the call.

Regarding claims 2-3, Raith further teaches limitations of the claims in col.11, lines 10-44.

Regarding claim 4, Jensen further teaches that when an operator wants to print the records. He inputs commands or instructions into the device so that records of contacts associated with an account are identified along with their usages, i.e., start time, stop, etc. (see paragraphs [0071] and [0074]).

Regarding claim 5, Jensen further teaches that each device event (i.e., incoming or outgoing call) has its own contact usage information such as duration of start time and stop time.

These calls are group into incoming call group, or outgoing call group or a group of an account, i.e., account #1234, etc. (see Table 1) in paragraph [0074].

***Regarding claim 13***, Raith teaches a method of monitoring usage of a wireless communication device, as shown in figure 3, comprising:

detecting a device event of the wireless communication device (i.e., detecting outing call, roaming, call setup, etc.),

monitoring an available usage of the wireless communication device during the occurrence of the detected device event (paragraph [0026]); and

displaying the available usage of the wireless communication device during the occurrence device event and after the termination of the device event (col.8, lines 59-67).

It should be noticed that Raith fails to clearly teach the feature of detecting device event associated with a contact as contact usage (i.e., detecting incoming call or outgoing call with associated caller ID data or dialed telephone number data in the call). However, Jensen teaches such feature in paragraph [0022] for a purpose of recording the call parameters for a call record.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of the feature of detecting device event associated with a contact as contact usage, as taught by Jensen, into view of Raith in order to record call parameters of the call.

Regarding claims 14-15, Raith further teaches limitations of the claims in col.11, lines 10-44.

Regarding claims 16-17, the limitations of the claims are rejected with the same reasons set forth in claims 4-5 above.

Regarding claims 22-26, the limitations of the claims are rejected with the same reasons set forth in the rejections of claims 13-17 above.

3. Claims 6, 18 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raith (US. Pat. #: 6,493,547) in view of Jensen (Pub. No.: US 2001/0031045) as applied to claim 1 above, and further in view of Jones et al. (US. Pat. #: 6,195,422).

Regarding claims 6, 18 and 27, Raith and Jensen, in combination, teaches all subject matters as claimed above, except for the contact usage information is used to automatically generate a bill for the contact. However, Jones et al. ("Jones") teaches such feature in col.14, lines 27-39 for a purpose of collecting charges on debit or prepaid calls.

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to incorporate the use of the feature of the contact usage information is used to automatically generate a bill for the contact, as taught by Jones, into view of Raith and Jensen in order to collect charges on telecommunication services.

4. Claims 19 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raith (US. Pat. #: 6,493,547) in view of Jensen (Pub. No.: US 2001/0031045) as applied to claim 1 above, and further in view of Fieldhouse et al. (US. Pat. #: 7,242,922).

Regarding claim 19, Raith and Jensen, in combination, teaches all subject matters as claimed above, except for the feature of sending the contact usage to a server and the feature of displaying comprises displaying the contact usage information on a web site maintained by the server. However, Fieldhouse et al. ("Fieldhouse") teaches a method of calculating, displaying

and recharging minutes usage via Internet web or PSTN telecommunications network (see col.6, line 51 through col.8, line 21) for a purpose of continually providing prepaid telecommunications services to end users.

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to incorporate the use of the feature of sending the contact usage to a server and the feature of displaying comprises displaying the contact usage information on a web site maintained by the server, as taught by Fieldhouse, into view of Raith and Jensen in order to continually provide prepaid telecommunications services to end users.

5. Claims 21 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raith (US. Pat. #: 6,493,547) in view of Jensen (Pub. No.: US 2001/0031045) and Fieldhouse et al. (US. Pat. #: 7,242,922) as applied to claim 13 and 19 above, and further in view of Jones et al. (US. Pat. #: 6,195,422).

Regarding claims 21 and 30, Raith, Jensen and Fieldhouse, in combination, teaches all subject matters as claimed above, except for the contact usage information is used to automatically generate a bill for the contact. However, Jones teaches such feature in col.14, lines 27-39 for a purpose of collecting charges on debit or prepaid calls.

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to incorporate the use of the feature of the contact usage information is used to automatically generate a bill for the contact, as taught by Jones, into view of Raith, Jensen and Fieldhouse in order to collect charges on telecommunication services.

***Allowable Subject Matter***

6. Claims 7-12 are allowed.

7. Claims 20 and 29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter:

Raith and Jensen, in combination, teach the transmitter/receiver, the processor connected to the transmitter/receiver and their functions as discussed in the rejection of claim 1 above. Graham et al. (US. Pat. #: 5,841,847) teaches billing software installed at subscriber premises equipment such as processor 58 (Fig.1) and at remote location, such as billing server 100. The billing server 100 comprises billing processor 158 that receives the contact usage information (i.e., client usage information) from the processor 58 in order to automatically generate a bill (see col.4, line 66 through col.5, line 26). It is noted that Graham, as well as, Raith and Jensen, fails to clearly teach the combined features of the server configured to receive contact usage information from the wireless communication device, and allow user of the wireless communication device to modify the information; and a billing system configured to receive billing information from the server based on the contact usage information and to generate a bill associated with the contact usage information, as substantially described and connected to independent claim 7.



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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh K. Tieu whose telephone number is (571) 272-7510 and E-mail address: [BINH.TIEU@USPTO.GOV](mailto:BINH.TIEU@USPTO.GOV).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (571) 272-7499 and **IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL CUSTOMER SERVICE FOR THE SUBSTITUTIONS OR COPIES.**

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**/BINH K. TIEU/**  
Primary Examiner  
Technology Division 2614

Date: December 2007